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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/557,856	11/21/2005	Seung-Tae Kim	KE-001	7935
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Thomas H Ham Wilson & Ham PMB 348 2530 Berryessa Road San Jose, CA 95132				
EXAMINER				
LEE, BRYAN Y				
ART UNIT		PAPER NUMBER		
4127				
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08/04/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/557,856

Applicant(s)

KIM, SEUNG-TAE

Examiner

BRYAN LEE

Art Unit

4127

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/21/05 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-85/86)
Paper No(s)/Mail Date 6/10/2008
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Inventor's Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to because they contain what appears to be the Korean word for figure, instead of the English word for figure. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.
2. **Figures 1-6** should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid

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abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claim(s) 1-11** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pre-Grant Publication 2002/0016818 A1 to *Kirani et al.* ("*Kirani*") in view of U.S. Patent No. 7,007,083 B1 to *Chelsey et al.* ("*Chelsey*") in view of U.S. Pre-Grant Publication 2002/0023143 A1 to *Stephenson et al.* ("*Stephenson*").

As to **claim 1**, *Kirani* disclose(s) a messenger system for storing and transferring a file using an Internet messenger, the messenger system including a messenger server (*Kirani* Fig. 3, 315. A mail server is a server used for messaging.) and a plurality of messenger clients (*Kirani* Fig. 3, 300, 350. The message senders and receivers are connected to the server through the Internet.) connected to the messenger server for exchanging a message or file with the messenger server, comprising:

a messenger function-performing file storage unit connected to the messenger server, (*Kirani* Fig. 3, 325, consists of the Media Storage Repository, the Multimedia Message Extractor 320, and the HTTP Media Delivery Server 335)

wherein the messenger function-performing file storage unit comprises:

a messenger function-performing unit for receiving a file (*Kirani* attachments are first received by the mail server than received by the Media Storage Repository via an extractor. Fig. 5A, 501, 503.), which will be transferred from a user of a messenger client serving as a sender (*Kirani* Fig. 3 300, Message Sender) to a user of a messenger client (*Kirani* Fig. 3, 350, Recipient) serving as a recipient among the plurality of the messenger clients, and transmitting the received file to the user of the messenger client serving as the recipient; (*Kirani* Fig. 6, 601, 602.)

a file storage unit for storing the file received through the messenger function-performing unit therein; and (*Kirani* Fig. 3, 325, Media Storage Repository)

a control unit for controlling storing (*Kirani* Fig. 3, 320. The Multimedia Message Extractor controls whether the file is placed in the storage repository.) the file received through the messenger function-performing unit in the file storage unit and transferring the file (*Kirani* 335, HTTP Media Delivery Server) stored in the file storage unit to a user of a messenger client serving as a recipient when the user of the messenger client serving as the recipient accepts

the receipt of the file. (*Kirani* By clicking on the URL the users accepts the file by initiating the transfer. Fig. 6, 601, 602.)

Kirani does not expressly disclose an Internet messenger with real-time chat, only email which is a non-real time form of messaging over the Internet.

Chelsey discloses an Internet Relay Chat or IRC - a real-time chat.

Kirani and *Chelsey* are analogous art because they are from the same field of endeavor with respect to messaging systems.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine the chat aspect of *Chelsey* with the messaging system of *Kirani*. The suggestion/motivation would have been to use chat instead of email to share collaborative ideas over the Internet. (*Chelsey* Col. 1, ll. 12-20, 25-29)

Kirani also does not expressly disclose a Media Storage Repository, a Multimedia Message Extractor, and a HTTP Media Delivery Server as a messenger function-performing file storage unit.

Stephenson discloses integrating a data store, http server, and functional logic into one unit. (*Stephenson* Fig. 1 107)

Kirani, *Chelsey* and *Stephenson* are analogous art because they are from the same field of endeavor with respect to messaging systems.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine the integrated aspect of *Stephenson* with the

system disclosed in *Kirani and Chelsey*. The suggestion/motivation would have been to organize related functions together. (*Stephenson* [0038])

As to **claim 2**, *Kirani* disclose(s) a messenger system for storing and transferring a file using an Internet messenger, the messenger system including a messenger server (*Kirani* Fig. 3, 315. A mail server is a server used for messaging.) and a plurality of messenger clients (*Kirani* Fig. 3, 300, 350. The message senders and receivers are connected to the server through the Internet.) connected to the messenger server for exchanging a message or file with the messenger server, comprising:

a messenger function-performing file storage unit connected to the messenger server, (*Kirani* Fig. 3, 325, consists of the Media Storage Repository, the Multimedia Message Extractor 320, and the HTTP Media Delivery Server 335)

wherein the messenger function-performing file storage unit comprises:

a messenger function-performing unit for receiving (*Kirani* attachments are first received by the mail server than received by the Media Storage Repository via an extractor. Fig. 5A, 501, 503.) a file that a user of any one of the plurality of the messenger clients wishes to store and transmitting the received file (*Kirani* 335, HTTP Media Delivery Server) to a user of the messenger client; (*Kirani* Fig. 3, 350, Recipient)

a file storage unit for storing the file received through the messenger function-performing unit therein; and (*Kirani* Fig. 3, 325, Media Storage Repository)

a control unit for controlling (*Kirani* Fig. 3, 320. The Multimedia Message Extractor controls whether the file is placed in the storage repository.) storing the file received through the messenger function-performing unit in the file storage unit and transferring the file (*Kirani* 335, HTTP Media Delivery Server) stored in the file storage unit to a user of the messenger client through the messenger function-performing unit when there is a request from the user of the messenger client. (*Kirani* By clicking on the URL the users requests the file by initiating the transfer. Fig. 6, 601, 602.)

Kirani does not expressly disclose an Internet messenger with real-time chat, only email which is a non-real time form of messaging over the Internet.

Chelsey discloses an Internet Relay Chat or IRC.

Kirani and *Chelsey* are analogous art because they are from the same field of endeavor with respect to messaging systems.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine the chat aspect of *Chelsey* with the messaging system of *Kirani*. The suggestion/motivation would have been to use chat instead of email to share collaborative ideas over the Internet. (*Chelsey* Col. 1, ll. 12-20, 25-29)

Kirani also does not expressly disclose a Media Storage Repository, a Multimedia Message Extractor, and a HTTP Media Delivery Server as a messenger function-performing file storage unit.

Stephenson discloses integrating a data store, http server, and functional logic into one unit. (*Stephenson* Fig. 1 107)

Kirani, *Chelsey* and *Stephenson* are analogous art because they are from the same field of endeavor with respect to messaging systems.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine the integrated aspect of *Stephenson* with the system disclosed in *Kirani* and *Chelsey*. The suggestion/motivation would have been to organize related functions together. (*Stephenson* [0038])

As to **claim 3**, *Kirani* and *Chelsey* further discloses a web interface for connecting the messenger client and the messenger function-performing file storage unit, whereby the user of the messenger client can receive or store the file that is being stored in the file storage unit using a web browser. (*Kirani* [0064])

Kirani and *Chelsey* does not expressly disclose doing so through a firewall between the firewall and the messenger function-performing file storage unit, wherein a firewall is installed between the messenger server and the messenger client serving as the sender or between the messenger server and the messenger client serving as the recipient.

Stephenson discloses a firewall installed between the messenger server and the messenger client serving as the sender (*Stephenson* Fig. 1 106 Firewall) or between the messenger server and the messenger client serving as the recipient. (*Stephenson* Fig. 1 113 Firewall)

Kirani and Chelsey and *Stephenson* are analogous art because they are from the same field of endeavor with respect to messaging systems.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine the firewall aspect of *Stephenson* with the system disclosed in *Kirani and Chelsey*. The suggestion/motivation would have been to establish communication between two computers where there exists one of more firewalls between them that is easy to establish and maintain without affecting security. (*Stephenson* [0003])

As to **claim 4**, *Kirani, Chelsey* and *Stephenson* disclose(s) a system, wherein the file storage unit is a storage system provided on the Internet. (*Kirani* Fig. 3 310b, 310a Internet)

As to **claim 5**, *Kirani and Chelsey* does not expressly disclose a system, wherein at least one of the plurality of the messenger clients has a plug-in program installed, and

the messenger function-performing file storage unit further comprises a file transmission/reception-executing unit that allows the messenger client having the plug-in program installed in and the messenger function-performing file storage unit to exchange a file directly through the plug-in program.

Stephenson discloses a primary application where a plug-in program is taught by a dynamic linked library (DLL). ([0009])

Stephenson further discloses the DLL providing the primary application the ability to transfer data from the server.

Kirani, Chelsey and *Stephenson* are analogous art because they are from the same field of endeavor with respect to messaging systems.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine the DLL aspect of *Stephenson* with the system disclosed in *Kirani and Chelsey*. The suggestion/motivation would have been to allow as many applications to access the functionality of DLL routines as required. (*Stephenson* [0009])

As to **claim 6**, *Kirani, Chelsey* and *Stephenson* disclose(s) a method for storing/transferring a file in/to a messenger system including a messenger server, (*Kirani* Fig. 3, 315. A mail server is a server used for messaging.) a plurality of transmission/reception messenger clients (*Kirani* Fig. 3, 300, 350. The message senders and receivers are connected to the server through the Internet.) connected to the messenger server for exchanging a message or file with the messenger server, and a messenger function-performing file storage unit (*Kirani* Fig. 3, 325, consists of the Media Storage Repository, the Multimedia Message Extractor 320, and the HTTP Media Delivery Server 335) connected to the messenger server and having a messenger function and a file storage function, comprising the steps of:

allowing the messenger function-performing file storage unit to receive a file, (*Kirani* attachments are first received by the mail server than received by the Media Storage Repository via an extractor. Fig. 5A, 501, 503.) which is to be transferred from a user of a messenger client serving as a sender to a user of a messenger client serving as a recipient among the plurality of the messenger clients, through the messenger function and then to store (*Kirani* Fig. 3, 320. The Multimedia Message Extractor controls whether the file is placed in the storage repository.) the file therein through the file storage function; and

transferring a file stored in the messenger function-performing file storage unit to a user of a messenger client serving as a recipient through the messenger function when the user of the messenger client serving as the recipient accepts the receipt of the file. (*Kirani* By clicking on the URL the users accepts the file by initiating the transfer. Fig. 6, 601, 602.)

See similar motivation and rejection to claim 1, where the method is taught by the system of claim 1.

As to **claim 7**, *Kirani and Chelsey* disclose(s) a method for storing/transferring a file into a messenger system including a messenger server, (*Kirani* Fig. 3, 315. A mail server is a server used for messaging.) a plurality of transmission/reception messenger clients (*Kirani* Fig. 3, 300, 350. The message senders and receivers are connected to the server through the Internet.) connected to the messenger server for exchanging a message or file with the messenger server, and a messenger function-performing file storage unit (*Kirani*

Fig. 3, 325, consists of the Media Storage Repository, the Multimedia Message Extractor 320, and the HTTP Media Delivery Server 335) connected to the messenger server and having a messenger function and a file storage function, comprising the steps of:

allowing the messenger function-performing file storage unit to receive (*Kirani* attachments are first received by the mail server than received by the Media Storage Repository via an extractor. Fig. 5A, 501, 503.) a file that will be stored by a user of any one of the plurality of the messenger clients through the messenger function and then to store (*Kirani* Fig. 3, 320. The Multimedia Message Extractor controls whether the file is placed in the storage repository.) the file therein through the file storage function; and

transferring a file stored in the messenger function-performing file storage unit to a user of a messenger client through the messenger function when there is a request from the user of the messenger client. (*Kirani* By clicking on the URL the users requests the file by initiating the transfer. Fig. 6, 601, 602.)

See similar motivation and rejection to claim 2, where the method is taught by the system of claim 2.

As to **claim 8**, *Kirani*, *Chelsey* and *Stephenson* further disclose(s) a system, wherein the file storage unit is a storage system provided on the Internet. (*Kirani* Fig. 3 310b, 310a Internet)

As to **claim 9**, *Kirani, Chelsey and Stephenson* further disclose(s) a system, wherein the file storage unit is a storage system provided on the Internet. (*Kirani* Fig. 3 310b, 310a Internet)

As to **claim 10**, *Kirani, Chelsey and Stephenson* further disclose(s) a system, wherein at least one of the plurality of the messenger clients has a plug-in program installed, and

the messenger function-performing file storage unit further comprises a file transmission/reception-executing unit that allows the messenger client having the plug-in program installed in and the messenger function-performing file storage unit to exchange a file directly through the plug-in program.

See similar motivation and rejection to claim 5.

As to **claim 11**, *Kirani, Chelsey and Stephenson* further disclose(s) a system, wherein at least one of the plurality of the messenger clients has a plug-in program installed, and

the messenger function-performing file storage unit further comprises a file transmission/reception-executing unit that allows the messenger client having the plug-in program installed in and the messenger function-performing file storage unit to exchange a file directly through the plug-in program.

See similar motivation and rejection to claim 5.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- U.S. Patent No. 7,194,514 B1 *Yen et al.*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRYAN LEE whose telephone number is (571)270-5606. The examiner can normally be reached on M-Th, 7:30AM-5:00PM EDT.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derrick Ferris can be reached on 571-272-3123. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/B. L./

Art Unit: 4127

Examiner, Art Unit 4127

/Derrick W Ferris/

Supervisory Patent Examiner, Art Unit 4127